P 17 E

Preserved

App. F. IX-4

192 9. (V. P)

File No. 10-29

Serial Nos. 365

Previous References

V P 2-28 88 72, 85
97, 98299

Later References

General and Revenue Secretariat.

Serial Nos.

Part B for March 30

SUBJECT

petition from Channamallappa of Nilasoge village praying for the Cancellat.. of S. No. 315 in the village

6. To, Mr Channamallappa
Nil 6990 & 29. 3. 30

States that orders already passed in the matter Cannot be reconsidered

J.H.S
6.4.30.

4225
4226.

App. F. III—2]

General and Revenue Secretariat.

V P File No. 10 of 1929.

Serial No.	
3	Telegram dated 24.2.30 from mr nilasoge Channamallappa, praying for a stay order in re. the acqn of a portion of land in S.no 5/15 nilasoge village
4.	petition dated nil feb 30 from the same praying for the Cancellation of the order sanctioning the acquisition his land in S.no 5/15 in nilasoge village.

The land referred to has been ordered to be acqd for the extension of Parvarakere in the village.

On receipt of an appeal petition from the petitioner objecting to the acqn of his land and on another petition from Parivar people requesting for the grant of sites in S.no 5/15, both the parties were heard by Govt on 22.2.29. and the Deputy Commr, Mysore was requested to submit a detailed report in the matter. The D.C after an inspection of the land in question in the village in the presence of the appellant and his Counsel. Submitted an report in detail and recommended sanction to the acqn of the properties stating that the objections raised by the petitioner to the acqn of his land was not valid.

On a perusal and consideration

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

General and Revenue Secretariat. | VP File No. 10 of 1929.

Serial No.

of the report of the D. C. the acquisition was ordered to be sanctioned (vide para 15 of the office note in VP 8-28).

The acquisition of the land was

θ sanctioned in G.O. No 25347-50/VP.2.28-98

P dt 23.1.30. and an endorsement was also issued to the petitioner intimating him that his objection has been considered and there is no reason to cancel the acqn.

The petitioner again prays for the cancellation of this land on the following grounds:-

(1) that the Paraiyan people are not in need of sites as they are disposing the sites already owned by them otherwise and they want the land to be acqd on account of party feeling.

(2). The land now selected is not suitable for building purposes as it is in a low level and not healthy.

(3) that the Paraiyan people who want the land are not really in need of building sites but they want to raise a flower garden on the land if acquired and,

(4) that the acqn of his land would cause great hardship and loss to him and the non-acqn of the land would not inconvenience anybody.

In this connection I beg to refer

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

4226.

4635

App. F. III—2]

General and Revenue Secretariat | VP File No. 10 of 1929

Serial No.

DEWAN'S OFFICE
25 MAR 1930
No. 4087

is invited to paras 3 to 5 of the D.C.S report stating the necessity for the acquisition of the land in question. Submitted for orders.

HB
4.3.30.

6880.
4673

No reason exists for a review or re-consideration of the order already passed.

(Chairman)

HB
7/3/30

(Second Member)

HB
7.3.30

I see no reason to review the matter

CJ
7/3

CHIEF SECRETARY
7 MAR 1930

Submitted for perusal with reference to Dewan's order dated 22/3/30 on the petn of Chamanlalappa

HB
25/3

(Dewan)

25/3/30

25-3-30.

26/3

Note—Contn. Sheet

WD 066—GPB—30,000—26-7-29

26/3

4226
4635

App. F. III—2]

General and Revenue Secretariat | VP File No. 10 of 1929

Serial No.	
	Draft Endorsement to the petitioner is submitted AS 26.3.30. DM 28/3
5	To mr Channankkatha Nilasoye No. L 6990 d 29.3.30 Informs that Govt. see no reason to reconsider the orders already passed PB 29/3

Note—Contn. Sheet

WD 066—GPB—30,000—26-7-2

POSTS

TELEGRAPHS.

Ref: Phi 170/536, dated 15 22.2.30.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Rs. 4 As. 2 1/2

Office Stamp

L. S. G. DHARWAR

Service Instructions VP10-29-3a/1

Words.

Handed in at (Office of Origin.) Time. 11 45

Recd. here at H. 59 M.

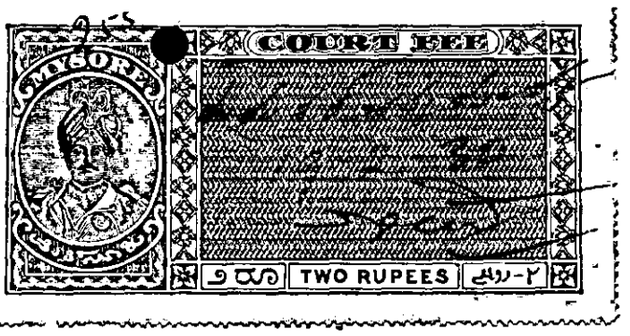
OFFICE OF THE [illegible] OF MYSORE.

Date of Receipt 26/2/30

Petn. Regr. No. 1580

N. B.—The name of the Sender, if telegraphed, is written after the text.

Karim Bux Bros., Printers, Calcutta.—1237 (B-206)—8-2-29—2,50,000 Bks.



OFFICE OF THE DEWAN
OF MYSORE.
Date of Receipt 22-2-30
Petn. Regr. No. 1556

Chief Secretary
Kind Compliments
B.O.

GEN. REV. SEC.
4226
9/P 10-29-4

Dr madan Gopal Rajpurohit

BEFORE AMIN-UL-MULK SIR MIRZA M. ISMAIL Kt.,

B. A., C. I. E., O. B. E.,

DEWAN OF MYSORE.

PRIVATE SECRETARY,
TO THE DEWAN OF MYSORE.

PETITIONER:- GURUKAR Chennamallappa, son of Gurubasappa, Age 65 - years, Resident of Nilasoge Village, T.Narsipur Taluk.

--:oOo:--

The humble Memorial of the Petitioner abovenamed respectfully SHOWETH:--

1. That 2 acres out of Sur.No. 515 in Nilasoge Village in T.Narsipur Taluk, of which the Petitioner is the owner, was notified for Acquisition in the Mysore Gazette - of 8th December 1927 in No.L.3305-V.P.24-27-21 dated 6th November 1927, and the Petitioner - put forward his objections before the Deputy Commissioner of Mysore, praying that; f o r the reasons stated by him, the said land may not be acquired. But the learned Deputy - Commissioner overruled the Petitioner's objections and recommended the Acquisition; and

in

(i) Shanbhogue of Nilasoge who is an avowed enemy and who is setting up the Parivars against the Petitioner; (ii) Shanbhogue of Moogoor, one Lakshminaranappa, who was then the Vice President of the T.Narsipur Municipality, and a relative of the Shanbhogue of Nilasoge; (iii) Shanbhogue of Talkad; and (iv) Shanbhogue of Sosale; all belonging to one Community, viz., the Hale Karnataka. The four against the Acquisition were (i) the Doctor; (ii) Patel Shantappa; (iii) Venkatarama Shetty, a Vaisya; and (iv) Siddasetty, a Ganigar. When the opinion was so divided and when disinterested votes were on the side of the Petitioner, the Amildar President deemed it fit to give his Casting Vote in favour of the Acquisition of this particular land.

5. That, soon after, the Amended Regulation came into force, and separate Proceedings were instituted and the then Amildar (the Petitioner learns) sent up a Report against the Acquisition.

6. That any one who sees the situation of the land in question, will declare that, out of all the available land right round the present Village, no worse site could be thought of for residential purposes.

7. That the said plot of land is

lower

Petitioner. (Copy of the Sale Deed has been filed before the Deputy Commissioner.)

11. That, in this Sur. No. 2, a few of them have already built houses, and the rest have marked out the Sites and have already dug Wells with a view to building - houses. But having subsequently found that the houses that they now live in were sufficient, they have abandoned the idea of building houses and have converted them into profitable Flower Gardens.

12. That, what is more, these very - Parivars who display so much anxiety for building sites, are selling the building sites they own in the village to other villagers. - (A few copies of Sale Deeds have been filed before the Deputy Commissioner.)

13. That, besides, there are numerous sites available in an elevated portion in the village itself, many of which they have converted into small strips of Gardens and some of which they are selling to others for fancy prices. In addition to the sites owned by - these Parivar people, there are about 100 sites available in the village and there are also - Four Survey Numbers, 520, 521, 522 and 523, - which are better-suited for building sites. When so much land is available in the village, the Acquisition of Petitioner's lands is unnecessary.

14. That

14. That the Petitioner, knowing full well the real motive of the Parivars and their instigators, submitted that if, in spite of - his protests, the Acquisition of his lands - had to be made, he might in Equity be granted in exchange an equal extent of land in S.No. 2 belonging to the Parivars, which they specially bought for building purposes and which they have since converted into Agricultural purposes. But the Parivar people would not listen to any such arrangement, and the Government also did not consider the Petitioner's prayer favourably.

15. The Petitioner further submits that his land is in a low place and receiving, as it does, all the Drainage and Sewage water of the village, is a fertile one, and has been giving him very good crops. It is also his ancestral property, and he would not willingly let it - pass into the hands of others, unless there are bonafides on the part of the latter. Besides, the said land is worth more than Sur.No.2, and at least 10 times the value put upon it by - Government.

16. That the two learned Deputy Commissioners, who inspected the spot, did not p a y any attention to the various points raised by - the Petitioner, but were content to note whether the Petitioner's land was fit to be acquired. - They failed to consider whether the Acquisition was at all necessary when there were so many -

sites

in Appeal, the Government in their Orders No. V.P.2-28-72 of 1928-29 and No.5949/V.P. 2-28 dated 7-2-1930, have confirmed the Order of the Deputy Commissioner of Mysore. The said Order has caused considerable hardship to the Petitioner, and he therefore humbly prays for a reconsideration of the said Order, for the following reasons.

2. That there are about 40 Families of the Parivara Community in the Petitioner's Village who have recently formed a Party against the Petitioner and have been harassing him in several ways. With this object in view, they wanted to get possession of the valuable lands of the Petitioner, and on the plea of want of sites for building purposes, they prayed for getting these lands under Acquisition Rules.

3. That there was an attempt by the said Parivar people of the village to acquire the Petitioner's plot of land even before the New Land Acquisition Regulation came into force, and when the Taluk Board was in existence.

4. That, when the matter went up before the Taluk Board, four members were in favour of the Acquisition and four against. The four who were for, were (i)

lower, admittedly, than any other portion - of the village, and is only fit to receive all the Drainage water from the village.

8. That the land is at least Three Feet lower than the adjoining Road which - leads to the village.

9. The Petitioner begs to submit that it is not for residential purposes, so much as to harass the Petitioner and f o r converting the land into small bits of Flower Gardens that it is sought after by the Parivars who are great growers of flowers - like Jasmin, Chrysanthamum, Jaji, etc., and suppliers to Mysore Market.

10. That it is not for want of - building sites that they are seeking this - Acquisition, because they have bought 50 marked-out sites in Sur.No. 2 of the Village, measuring in all 3 acres and 20 Guntas, from one Shanbhog Dyavappa, for nearly Rs.3,500/- with the object of putting up - buildings; but having found that they could well live where they were, and that it was more remunerative to convert the said sites into Gardens, they have converted the said building sites in Sur.No.2 into small strips of Flower Gardens. Sur.No. 2 is at least 6 Feet above the Sur. No. 515 of the Petitioner

roads, and a sum of Rs 25,000/- out of the Government grant also utilized for such purposes.

iv. Village roads wherever possible should not end with individual villages, but they should be linked up so as to form a continuous means of communication, in the interior parts of the State. They should also be connected with the main road, and having this as the objective, a regular plan should be prepared for the purpose.

v. The Village Panchayets will be responsible for the maintenance of the roads and the work of such maintenance should be carried ~~xxix~~ on by ~~xxx~~ means ~~special expenditure~~ of weekly labour. Where any special expenditure is required, the Village Panchayets may sanction necessary funds depending upon their resources and the importance of the work.

vi. The District Boards should be requested to provide subventions for a large programme ~~for~~ of development of ~~xxx~~ inter~~ior~~ village ~~concerns~~ Communications, and where the roads are ~~supplying~~ ~~import~~ sufficiently important, the maintenance should be transferred to them.

Revenue Commissioner.

To

The Deputy Commissioners of Districts.

Draft.

Circular.

The economic improvement of the rural population depends to a very great extent on the development of the means of communication in the interior parts of the State. It is necessary to take steps to provide every village with easy means of access and connect it as far as possible with the main road. As it may not be possible to carry out this object immediately, attempts should be made to provide such village roads for all villages with a population of at least 300 inhabitants for the present and others villages not more than one mile distant from the main road

2. With this object, action should be taken at once on the following lines:--

i. The Village Panchayet Inspectors and the Revenue Inspectors should be directed to inspect all such important existing means of communication and prepare a programme for linking up all important villages to the main road and making proper approach roads. The Amildars should scrutinize these programmes and issue instructions, so that a fairly large number of such roads may be taken up ~~xx~~ in the course of the year.

ii. Where a village road is already in existence, steps should be taken to improve it, and if special expenditure is required on account of culverts, causeways, cuttings or embankments grants may be made by District Board and Government funds.

iii. A 25 per cent of the Village Panchayet funds should be set apart for making such

sites already available in the village and lying Waste.

17. That the Acquisition of the Petitioner's lands would cause great loss and inconvenience to the Petitioner, while non-acquisition would cause none to the Parivar people, as they have ample building sites at their disposal and also there are several other agricultural lands and sites better-suited for this purpose than the Petitioner's lands. It is, therefore, clear that the Parivar people, with their numerical strength and influence, have been insisting on the Acquisition of the Petitioner's lands with an ulterior object, though it is quite unnecessary and unsuited for building purposes, but with a view to ultimately convert the land into Flower Gardens and make it a profitable business.

18. The Order of the Government, if not modified, will cause considerable hardship to the Petitioner.

WHEREFORE THE PETITIONER MOST HUMBLY AND RESPECTFULLY PRAYS THAT YOUR HONOUR WOULD BE GRACIOUSLY PLEASED TO ORDER THE CANCELLATION OF THE ACQUISITION OF THE PETITIONER'S LANDS.

For this act of Justice and Mercy the

the Petitioner, as in duty bound, shall - ever remain grateful.

Bangalore,)
th Feb., 1930.)

PETITIONER.

Jud. Pli. 1073
Cls 4

L.S.G. 4635
25/3/30

BEFORE THE DEWAN OF MYSORE, BANGALORE.

PETITIONER:-

Gurukar Channamallappa,
Son of Gurubasappa,
NILASOGE VILLAGE,.
T.Narsipur Taluk.

--oOo--

The Petitioner humbly a n d respectfully begs to state as follows:-

1. That, on 19-2-1930, the Petitioner has submitted a Memorial to Your Honour praying for a Review of the Government Order No. 5547-50/V.P.2-28-98 dated 2-3-1930 regarding the Acquisition of his land S.No.515 of Nilasoge Village, for disposal as Building Sites to the Pariwar Community of the said village. The said Memorial is still awaiting Your Honour's kind perusal and favourable orders.

2. That, in the meanwhile, t h e Opposite Party in the village have been expediting the execution of the Order of the Government and to dispossess the Petitioner of his lands.

3. That

3 That, for the reasons set out in his humble Memorial, considerable hardship and inconvenience will be caused to the Petitioner if; pending the disposal of his Memorial before Your Honour, the Order of the Government is allowed to be executed and he is dispossessed of his lands

4. The copies of his Memorial and the Order of the Government and a Rough - Plan showing the land to be acquired and the existence of other lands suitable for Acquisition. have been filed herewith for ready reference.

WHEREFORE, the Petitioner humbly prays that, pending the disposal of his Memorial, A STAY ORDER might graciously be granted, and that all the connected papers be kindly called for and favourable orders be passed directing the cancellation of the Acquisition of the Petitioner's land.

For this act of Justice and kindness, the Petitioner, as in duty bound, shall ever remain grateful.

Bangalore,
12th. March, 1930.

PETITIONER.

N.B

most earnestly pray to inspect the spot personally in your honour's next Circuit visit to T. Narsipur - this Village is only one mile called Nisoogi just close to River Cauvery. Kasaba

Please pendergnotice and arrange stay until such time and proceedings unless your honour's mercy there is no any other go!

Appendix F G—1

SUBJECT.....

.....

.....

Section V P

File No. 10-29

Serial No. 5

No. L. 6990 Encls 3 + one plan

Endorsement

General and Revenue Secretariat

( )

the 192

To

Granted to mr Gunnian Chinnamallappa. Son of mr Gurvareddiappa, Nilacoge village. T. Vaniambadi Taluk

Diary No. of letter replied to.....

Date of issue 29-3-1930

Signed by Asst T.K.S. Iyer

With reference to his petitions of 22nd Feb and 12th March 1930 to the Dewan praying for the Cancellation of the order passed sanctioning the acquisition of a portion of his property in S. No 515 in Nilacoge village for the extension of Panchayat in the village, mr. Channamallappa is informed that Govt. see no reason to reconsider the orders

List of enclosures.....

Copied by Asst 28/3/30

Examined by.....

over

already passed in the matter.
The ~~enclosures~~ enclosures to his petitions
are returned herewith.

By order

W 28/3

Fredk. Sec. to Govt.

HB
26.3.20